

CSD 1001A [07/01/18]

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Order Entered on
December 18, 2023
by Clerk U.S. Bankruptcy Court
Southern District of California

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re
PEPPERTREE PARK VILLAGES 9 & 10, LLC

BANKRUPTCY NO. 17-05137-LT7

Debtor.

Date of Hearing: 09/20/2023
Time of Hearing: 2:00 p.m.
Name of Judge: Hon. Laura S. Taylor

**ORDER ON
APPLICATION FOR ADMINISTRATIVE EXPENSES**

The court orders as set forth on the continuation pages attached and numbered 2 through 2 with exhibits, if any, for a total of 2 pages. Motion/Application Docket Entry No. 991.

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DATED: December 18, 2023

A handwritten signature in black ink, appearing to read "Laura S. Taylor".

Judge, United States Bankruptcy Court

ORDER ON APPLICATION FOR ADMINISTRATIVE EXPENSES
DEBTOR: PEPPERTREE PARK VILLAGES 9 & 10, LLC

CASE NO: 17-05137-LT7

On September 20, 2023, the continued hearing on the Motion for Allowance and Payment of Administrative Expenses (the "Motion") filed on November 3, 2022, in the now converted Chapter 11 Case of PEPPERTREE PARK VILLAGES 9 & 10, LLC (the "PEPPERTREE 9 & 10 DEBTOR"), Case No. 17-05137-LT7 (the "Chapter 7 Case"), as Docket Nos. 991 and 992, by Administrative Claimant, the law firm of HIGG, FLETCHER & MACK LLP ("HF&M"), came on regularly for hearing at 2:00 p.m. in Department 3 of the above-referenced Bankruptcy Court before the Honorable Laura S. Taylor, United States Bankruptcy Judge.

The Bankruptcy Court, having reviewed:

1. The Motion and any supporting papers and pleadings filed by HF&M;
2. Any Opposition filed to the HF&M Motion and the HF&M Reply to any Opposition filed;
3. The Bankruptcy Court's Tentative Ruling entered on April 11, 2023, as Docket No. 1060;
4. The Bankruptcy Court's Minute Order entered on September 25, 2023, as Docket No. 1200;
5. The Supplemental Declaration of John M. Morris of HF&M filed on October 13, 2023, as Docket No. 1207 providing sufficiently detailed explanation of how the appellate services rendered on behalf of the Debtors benefited the estate as set forth in two (2) specific invoices totaling \$42,632.50 as follows:
 - a. Invoice No. 471529, dated January 6, 2020 (and attached to the Morris Declaration as Exhibit "A"), reflects services rendered in connection with the Appeal from November 1, 2020, through December 31, 2020, in the amount of \$33,062.50; and
 - b. Invoice No. 483439, dated June 5, 2020 (and attached to the Morris Declaration as Exhibit "B"), for services rendered in connection with the Appeal from January 1, 2020, through April 30, 2020, in the amount of \$9,570.00.
6. Administrative Claimant Foley & Lardner LLP's ("Foley") Response to Supplemental Declaration of John M. Morris in Support of HF&M's Motion for Allowance of Administrative Claim filed on October 18, 2022, as Docket No. 1208 wherein Foley does not object to an allowed administrative claim for HF&M in the amount of \$108,921.10 consisting of:
 - a. \$68,921.10 previously approved for payment by the Bankruptcy Court in the Court Modified Order approving the HF&M Second and Final Fee Application entered on December 20, 2019, as Docket No. 684, but not yet paid; plus
 - b. \$40,000.00 of the combined total of \$42,632.50 for Invoice Nos. 471529 and 483439.

and good cause appearing, therefore, hereby rules as follows:

1. The HF&M Motion is GRANTED IN PART and DENIED IN PART;
2. HF&M shall be, and hereby is, granted an administrative priority claim pursuant to Bankruptcy Code section 503(b)(1)(A) in the total amount of \$108,921.10 consisting of:
 - a. \$68,921.10 previously approved for payment by the Bankruptcy Court in the Court Modified Order approving the HF&M Second and Final Fee Application entered on December 20, 2019, as Docket No. 684, but not yet paid; plus
 - b. \$40,000.00 of the combined total of \$42,632.50 for Invoice Nos. 471529 and 483439.

IT IS SO ORDERED.